App. F. IX-4

Previous References

1935-36

File No. 228-35

Serial Nos.

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT.

Mysore Review re: Remanagement of the temple of Sri Venkataramana Swamy of Bandipur Attikuppe Village in Nanjangud Taluk.

WD 03607—GPB—22,500—2-8-35

1378 The temple of Sri Kasi Visweswara Swamy at Bale Allikuppa — The resumption of the management thereof —

General and Revenue Secretariat — File No. — of 1935-6 — [App. F. III—2

Serial No.

Petition of 22.6.1936 filed by Mr. B. V. Rama Rao Advocate on behalf of Madappa and Kari Lingiah of Bale Allikuppa Sesinga palam Taluk requesting that the Govt. No. 1368-71/Mug 228-35-2 of 28/3/36 be cancelled and the claims of the petitioners for managing the temple of Sri Kasi Viswesware & its properties be restored and also praying for the issue of a stay order pending disposal of the petition —

4 A (1) Kind attn. is invited to para 1 of the Hyderabad. Cs letter no. 46/35 of 8.8.1935 & the reasons for the resumption of the Temple at Bale Allikuppa & its properties are fully set forth therein. The resumption was ordered in Govt no. 1368-71/Mug 228-35-2 of 30.3.36 which is for a reconsideration of this order. The notice for the hearing of the petition is fixed for 30.6.36. In view of what is said by the D.C. the Govt, whether any further consideration is called for is for orders —

2. As for the stay order asked for in the last para of the P. M. D, a separate petition duly stamped is necessary — If the case is deemed a deserving one for the stay order, a separate duly [illegible]

NOTE.—Contn. Sheet.

WD 03694—GPB—30,000—18-7-35

The temple and its endowment were first taken under Govt. management in G.O. No. 2207-09 dated 1st March 1911. Mem. 87, 162-10-11
But the management of the temple and its endowment was restored to the inamdars in G.O. No. 3076 dated 4th June 1918 subject to certain conditions. But the conditions were violated and no accounts are maintained by them. (Vide G.O. No. 1868-71 dated 28th March 1936). The petitioners contention that they did not receive any warning about the mismanagement of the affairs of the temple before Govt. resumed the endowments of the temple is not therefore based on facts. The G.O. of 28th March 1936 enumerates in detail the reasons given by Govt. for stating that the affairs of the temple are mismanaged. The petitioners do not attempt to controvert any of the charges of mismanagement

Assumption of the Management of Sri Kasi Viswanatha Swamy Temple by the Vizianagaram Estate Authorities

Serial No.

contained in the G.O. of 28th March 1936. They merely state that it is their ancestors that built the temple and were instrumental in securing to the temple its inam lands. It is therefore a point for consideration whether there are any grounds for re-considering the orders already passed by Govt. in the matter.

26 JUNE 1936

26.6.36.

4) No case is made out for a review of the orders already passed. The petition may be rejected.

Gen. Secy)

5) Rwd 26/6/36 417. dcg

First Incumbent

6) For further orders issued on 30/3/36 the managers are referred to as this memorandum should not have been done - hwd 4/7

7) 5/7 Draft dcg 6/7

JULY 1936 109

Noted for guidance BJS 6.7.36

NOTE.—Contn. Sheet.

WD 03591—GPB—30,000—18-7-35

File No.	of 193 .	General and Revenue Secretariat	

Serial No.

Petition of 7.6.36 from Basavarajaya son of Sivalingarajaya of Sarvana Attikuppa village Seringapatam Taluk praying that the Govt order No. 1368-71/Misc 3 228.35-2 of 28/7/36 be allowed to stand and justice done to the ryots—

(9) ordrg in Gen. Sec under P. in d:—
Misc 3— To M.C."

(10) The petitioner does not say anything as to he is referring to the Inamdar of the Kasi Viswesvara Swami temple & the inam village taken on lease.— The notice issued on the subject. (G.O.No 1378) has already been sent & it is before the Gen Sec.

(11) It is respectfully submitted that if after the return of the main file this order will be received & this referred back; the orders passed therein will also be communicated to this petr. & while forwarding a C of the order to M.C, he will be asked to file (illegible)

GS 29.6.36 Misc 1.7.36

12) Misc 2-7-36

13) Restored to the main file— GS 6/7/36.

Another petition of 25.6.36 from the same gentleman as in his petition of 7.6.36 on the subject

NOTE.—Contn. Sheet.

WD 03591—GPB—30,000—18-7-35

5)

Muz Review 19 of 35-36.

Muz File No. 228 of 193 6-7 | General and Revenue Secretariat

[illegible] As regards the mistake noticed in para 6 - page 3 of the order, it is for [illegible]

Issue

dtd 7/7/36

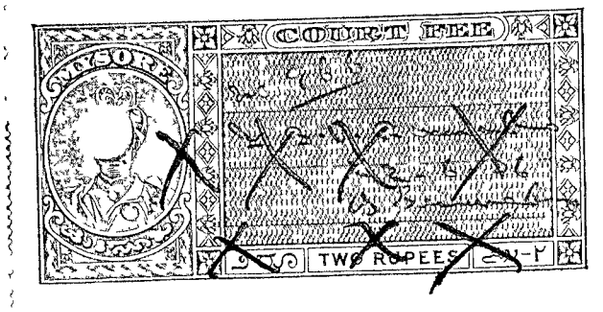
No 65 of 8.7.36 to Messrs Madappa and Kasilingiah of Bale Alambe - Seringapatam Taluk C/o Mr. B. V. Rama Rao Advocate Chick pet Bangalore City - intimating that Govt see no reason to reconsider the orders already passed on the petition.

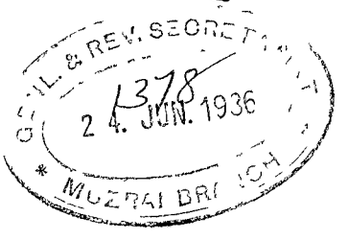
No 66 of 8/7/36 to the Muzrai Commissioner forwarding Copy of the above for information.

Memo no 67 of 8/7/36 to Mr. Basavanadhya of the Village of Bale Alambe Seringapatam Taluk.

B 11/7 [illegible] 7/7

Muz 228-35-2





Before the Government of His Highness the
Maharaja of Mysore,
Bangalore.

Muz Review 149—35-36.

Petitioners :- 1. Madappa, son of Chennappa.

2. Kasilingiah, son of Kasi Lingian.

Managers of Sri Kasivisweswara Temple
at Bale Attikuppe
Sarvamanya village, Hirode
Hobli, Srirangapatam Taluk,
Mysore District.

c/o. B.V. Rama Rao, Esq., M.A., B.L., Advocate,
157, Chickpet,
Bangalore City.

The humble petitioners abovenamed pray that, in the light of the undermentioned circumstances, which have not been considered as they may not have been brought to the notice of the Benign Government, the order promulgated under Proceedings 1368-71/ Muz. 228 -35 - 2 dated 28-3-1936 directing the resumption of the management of Sri Kasi Visweswara Temple at Bale Attikuppe Sarvamanya village from the petitioners be reconsidered and they be permitted to continue as Managers of the said temple and its estates :-

1. The temple was originally endowed only with an extent of land assessed at only twelve kantiroyi varahas. Later at the request of the

P.T.O.

ancestors of the present petitioners, His late Highness of Revered Memory Sri Krishnaraja Wodeyar III, the grand father of our Beloved present Highness, granted in perpetuity as sarvamanya the entire village of Bale Attigappa -- to one Juttavva the adoptive mother of the petitioner 's great grandfather Madiah, under a NIRUP, dated 20-8-1824. That subsequently the Inam Commissioner confirmed the said grant, tax free under the Final Inam title deed as well. The temple and its deity were installed by the ancestors of the petitioner over a century ago and has continued in their management all along except for a brief period of seven years between 1911 and 1918 when it was under the management of the Government. The temple and its properties even then were under the control of the ancestors of the petitioners subject only to account to Government for the income and expenditure. In 1918, this Benign Government at the instance of the petitioner 's father Chennappa and another was pleased to restore the temple and its properties entirely to the original Managers with a condition that they should account to Government periodically for the expenditure according to a sale to be approved and the sent to them by Government. But at no time has any sale of expenditure has been sent to the parties nor have any demands for submitting accounts at any time been made of them. Still, the routine

P.T.O

and festive worship in the Temple and the management of its properties have gone on regularly year after year without break ever since the inception of the institution down to the present day exclusively in the family of the petitioners for over a century.

2. Even the Mutchalikas given by the ancestors of the petitioners from time to time since 1918 themselves show that no scale of expenditure has actually been sent to them.

3. The several scales prepared from time to time since 1913 to 1919 were tentative proposals merely and except for the last scale prepared in 1919 there is no approved scale of expenditure.

4. Even the last scale prepared in the year 1919 has not actually been sent to the parties to abide by it, nor have any demands at any time been made by the local or other Muzrai Officer to submit an account in accordance with such scale.

5. Even after the demise of persons to whom the temple and its properties were formally restored, no scale of expenditure nor any Muchalika to abide by such scale has ever been prepared, taken from or sent to ~~or from~~ the parties. There has not been a single demand for account at any time eversince restoration up-till-now.

6. That there is party faction in the village is an admitted fact. The occupancy holders of the village lands are in great default in payment

payment of kandayam to the petitioners and -- because of the pressure that has necessarily to be put on them to enforce payment of the dues, it is no wonder the villagers are opposed to the managers. The complaint petitions from time to time from these ryots are only the result of the misunderstanding that exists between them and the managers of the reason stated above.

7. Besides the Sri Kasi visveswara temple, there are two other temples of Sri Ranganathaswami and of Sri Anjaneya Swami. These two latter temples are separately and independantly endowed. The Kasi visveswara temple has only a right to collect Revenue and Mohatarfa in the village from the occupancy ryots and no more. The lands endowed to the Sri Ranganathaswami temple and Sri Anjaneya temple are tax free and are in the enjoyment of people who have a right to worship these deities independantly of the petitioners. The Khata of those lands also stand in the names of the respective Deities. The petitioners could never have, nor had at any time to interfere in the management of those temples or the properties endowed to them. The mismanagement in the said temples and of the properties of the said temple, has given rise to wrong perspective to the rights of the petitioners and their case has been - prejudiced by it. The present petitioners are not responsible for any mismanagement that may be found in respect of the affairs or the properties of the said temples. It could hardly sound Contd...

reasonable to draw any adverse conclusion against the petitioners who are the managers of the Sri Kasiviswesvara Temple and its properties and no more, because other temples and their properties are mismanaged by people in possession thereof between whom and the petitioners there is no kind of relationship and over whom the petitioners could possibly have no control. The case of the minor institutions in the village, between which and the temple of which the petitioners are managers, there is no relation whatever, could not, it is respectfully submitted, affect the case of the petitioners. If there was mismanagement of the minor institutions, the endowments granted to such institutions alone could be resumed and no more.

8. The order of Government in question, it is respectfully submitted is an extreme step not jusitified under the circumstances. The parties could have easily been made aware of an approved scale of expenditure to be abided by them. A timely warning could also have been given to them that they were required to submit accounts periodically with a penalty attached for default. In the present case no opportunity has ever been afforded to them to comply with the orders of Government in this behalf at any time.

The petitioners have these long years extending over a century believed - bonafide that the temple was their own and the public had no right to interfere in its management by reason of the fact that the original grant to them of the Village was personal to them and that at no time have they been called upon to abide by any scale of expenditure or submit an account. Even without any prescribed scale of expenditure, the petitioners have according to their own lights maintained a scale of expenses, which if thought not suitable may be directed to be brought up in accordance with any approved scale of expenditure prevailing in any other instituion under the circumstances similar to the one in question and the parties tried for a reasonable period before any drastic - measure as is intended by the present order of Government is enforced.

9. Even the Religious and Charitable Endowments Regulation under Section 22, prescribes a period of locus penitentiae and provides for a fine in case of default. In the present case, the measures of punishment adopted is drastic and extreme without even an opportunity to mend matters.

Contd-on-page 7.

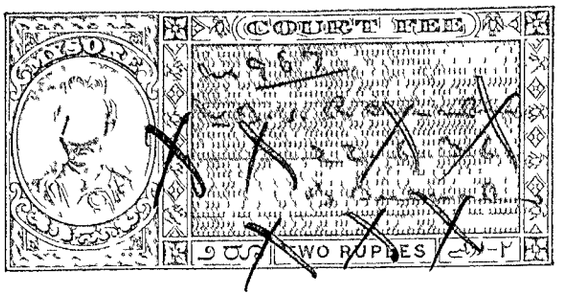
the petitioners are prepared to abide by any scale of expenditure that the Government may fix and to undertake to submit accurate accounts periodically and to perform any other reasonable condition that may be imposed on them.

Wherefore the petitioners most respectfully pray that the records be called for and on hearing parties, their rights to manage the temple and its properties as being hereditary be respected and declared by countermanding the order of resumption now promulgated, by fixing a scale of expenditure to be followed in future on such reasonable terms as the Government might deem fit to impose on the petitioners. The petitioners further pray that pending disposal of this petition immediate orders to the Local Muzrai Officer to stay all proceedings in execution of the order in question be granted and communicated through petitioners.

Bangalore,
16th June, 1936.

22nd. Rama Rao B.V.
Counsel for petitioners.

Petitioners.



Before the Court of His Highness the Maharaja ಕೋರ್ಟಿಗೆ.
of Mysore, Bangalore.

1935—1936 ನೇ ನಂಬರು

~~ವಾದಿ ಅಥವಾ~~ ಅರ್ಜಿದಾರ್ ~~ಪ್ರತಿವಾದಿ ಅಥವಾ~~ ಅಪ್ಪೋಸ್ಕೆಂಟ್

Madappa
Kasi Lingappa. } V.S. {

ಮುll ರಾll B. V. Rama Rao, M.A.B.L., Advocate
157. Chickpet Bangalore City. ಗೆ.

The petitioners above named ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್ನಾಮಾ

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಜ್ಞೆರುವರಿಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವುದಕ್ಕೂ, ನನ್ನ ವರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರ್‌ನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟ್‌ನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ರೀಫಂಡು ಮೊಬಲಗು, ಡಿಕ್ರಿ ಮೊಬಲಗು, ಸಿಲ್ಕು ಮೊಬಲಗು, ದಾವಾ ಸ್ಟಾಂಪು ರೀಫಂಡು ಮೊಬಲಗು ಸಹ ವಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿಧೇನೆ ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ

× ಮಾದಪ್ಪನವರು ಲಿಂಗಾಯಿತರು

ತಾರೀಖು 7-6-36 } ರುಜು

× ಕಾಸಿಲಿಂಗಪ್ಪನವರು ಜುಗ್ಗಾನಾಂದಾರೆ

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ } ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಧ್ದೇನೆ
ಸ್ವರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ }

Adv. for petitioners

Rama Rao B.V.
Advocate for said
7.6.36

ಸಿಕ್ಕುವ ಸ್ಥಳ.—ಯಂ ಯಸ್ ರಂಗಸ್ವಾಮಿ ಸೆರಾಯಿ ಪೌಸ್ತಕ ವ್ಯಾಪಾರಿಗಳು, ಕೋಟೆ ಮತ್ತು ಚಿಕ್ಕಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 7th

No R. 65 Mzg 228-35-6

ENDORSEMENT.

[illegible]

praying for [illegible]

[illegible] No.1368-71/ [illegible]

that the temple of [illegible]

Kalyatti [illegible]

their enjoyment, [illegible]

formed that [illegible]

already passed [illegible]

rejected.

Sd/- [illegible]

Memo No. 6 B/Mzg 228-35-6 dt 8-7-36

Copy of the above is forwarded [illegible] Muzrai Commissioner for information. [illegible] 1936 from one Basavaradhya is appended.

[illegible]

for [illegible]

~~Memorandum~~ Memo No 67 Jany 22 B 85-6 48-7-36

Copy to Mr.Basavaradhya residing at Sarvamanya Bele ..tikuppe village Hirode Hobli, Seringapatam Taluk with reference to his petitions of 7th June 1936 and 25th June 1936.

By Order,

FAIR DRAFT.

for General Secretary to Government.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mwg

File No. 228-35—

Serial No. 6

No. 65—

To

Messrs Madabha Kailangiah

of Bale Attikuppe Village

Seringapatam Tk C/o

Mr. B. V. Ramarao M.A. B.L.

Advocate - 157 - Chickpet

Bangalore City

Diary No. of letter replied to 538 dtd 16

General and Revenue Secretariat

( )

the 193 .

Date of issue .. 8-7-36

Signed by .....

Yr. letr dtd 22.6.1936 requesting that their claims to manage the temple of Sri Kasi Visweswara Swami & its properties may be considered favourably & the same restored to the management & also praying for

praying for a review of the orders passed by Govt in G.O. No 1368-71/ Mwg 228-35-2 dated 28/3/36 directing that the temple of Sri Kasi Visveswara Swamy of Sarvamanya Bale Attikuppe village in Seringapatam taluk be taken under their management,

List of enclosures .....

Copied by .....

Examined by .....

WD 01956—GPB—22,500—12-6-34

The Asst, Messrs Madappa and
Kailingiah are informed that
Govt see no reason to reconsider
the orders already passed in the
subject. The fresh petn
is rejected —

B. O

7/7/36

for Gen Sec.

Memo No 66 8.7.36.

Copy to the M.C. for information —
Petition of 7.6.36 from one Basavanadhya is abstracted —

B. O

for Gen Sec

Memo No 67 8.7.36

Copy to Mr. Basavanadhya.

residing at Sarvamanya Bale Kallukuppa
Village Hunse Hobli Seringapatam
Tk with reference to his letter of —
7.6.36 & 25/6/36.

B. O

for Gen Sec.

GS
8/7/36